



Express Mail No.: EL 501 640 370 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Xu et al.

Application No.: 09/026,459

Group Art Unit: 1632

Filed: February 19, 1998

Examiner: R. Shukla

For: **MODIFIED RETINOBLASTOMA
TUMOR SUPPRESSOR PROTEINS**

Attorney Docket No.: 8660-025

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 22, 2000 of the Primary Examiner finally rejecting claims 1-34, 36, 37 and 44-48 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three (3) month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$310.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$155.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date June 22, 2001

Brian M. Poissant
by [Signature]
Brian M. Poissant (Reg. No.) 28,462
RECD 42, 2001

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